

**WOLFE & WYMAN LLP**  
ATTORNEYS & COUNSELORS AT LAW

Stuart B. Wolfe (SBN 156471)  
Joshua M. Bryan (SBN 225230)  
jmbryan@wolfewyman.com  
WOLFE & WYMAN LLP  
2175 N. California Blvd., Suite 645  
Walnut Creek, California 94596-3502  
Telephone: (925) 280-0004  
Facsimile: (925) 280-0005

Attorneys for Defendants  
PNC BANK, NATIONAL ASSOCIATION,  
as successor by merger to NATIONAL  
CITY BANK previously dba "NATIONAL  
CITY MORTGAGE"

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

STEVEN YEAGER and MARINA LUNA,

Plaintiffs,

v.

PNC MORTGAGE, a Delaware LLC dba  
NATIONAL CITY MORTGAGE, and DOES  
1 to 25, inclusive,

Defendants.

Case No. 3:10-CV-01195 SI

(Sonoma Superior Court No.: SCV 246724)

STIPULATION AND ORDER EXTENDING  
TIME FOR DEFENDANT PNC BANK,  
NATIONAL ASSOCIATION TO RESPOND  
TO PLAINTIFFS' FIRST AMENDED  
COMPLAINT

**TO ALL PARTIES HEREIN AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:**

This Stipulation is made by and between Plaintiffs STEVEN YEAGER and MARINA LUNA ("Plaintiffs") and Defendant PNC BANK, NATIONAL ASSOCIATION ("PNC") by and through their respective counsel of record. Plaintiffs and PNC agree and stipulate as follows:

- A. On or about July 16, 2010, Plaintiffs filed their First Amended Complaint in this matter.
- B. On or about July 29, 2010, Plaintiffs' counsel agreed to extend PNC's time to respond to the First Amended Complaint up to and including August 16, 2010.

1 C. This Stipulation does not alter the date of any event or any deadline already fixed by  
2 the Court.

3 WHEREFORE, Plaintiffs and PNC agree and stipulate that PNC has up to and including  
4 August 16, 2010 to respond to Plaintiffs' First Amended Complaint.

5  
6 DATED: July 30, 2010

WOLFE & WYMAN LLP

7  
8 By: /s/ Joshua M. Bryan (SBN 225230)

9 STUART B. WOLFE

JOSHUA M. BRYAN

10 ATTORNEYS FOR DEFENDANT

PNC BANK, NATIONAL ASSOCIATION

11  
12 DATED: July 30, 2010

HENDRICKSON LEGAL SERVICES

13  
14 By: /s/ John Hendrickson (SBN 257298)

15 JOHN HENDRICKSON

16 Attorney for Plaintiffs

STEVEN YEAGER and

MARNIA LUNA

17  
18 **ORDER ON STIPULATION**

19 The Court, having reviewed the stipulation of Plaintiffs and PNC BANK, NATIONAL  
20 ASSOCIATION, and good cause appearing therefore, ORDERS that PNC shall have up to and  
21 including August 16, 2010 to respond to Plaintiffs' First Amended Complaint in this matter.

22 IT IS SO ORDERED.

23  
24 DATED: \_\_\_\_\_



25 JUDGE OF THE DISTRICT COURT

## PROOF OF SERVICE

STATE OF CALIFORNIA )  
 ) ss.  
 COUNTY OF CONTRA COSTA )

I, Lisa White, declare: I am employed in the County of Contra Costa, State of California. I am over the age of 18 and not a party to the within action. My business address is 2175 North California Blvd., Suite 645, Walnut Creek, California 94596-3502.

On the date shown below, I served the document(s) described as STIPULATION AND ORDER EXTENDING TIME FOR DEFENDANT PNC BANK, NATIONAL ASSOCIATION TO RESPOND TO PLAINTIFFS' FIRST AMENDED COMPLAINT on all interested parties in said action by placing a true copy thereof in a sealed envelope addressed as stated on the ATTACHED SERVICE LIST.

☐ **BY MAIL:** as follows:

I am "readily familiar" with Wolfe & Wyman LLP's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Walnut Creek, California, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

☐ **BY EXPRESS MAIL** as follows: I caused such envelope to be deposited in the U.S. Mail at Walnut Creek, California. The envelope was mailed with Express Mail postage thereon fully prepaid.

☐ **BY CERTIFIED MAIL** as follows: I am "readily familiar" with Wolfe & Wyman LLP's practice for the collection and processing of correspondence for mailing with the United States Postal Service; such envelope will be deposited with the United States Postal Service on the above date in the ordinary course of business at the business address shown above; and such envelope was placed for collection and mailing, by Certified United States Mail, Return Receipt Requested, on the above date according to Wolfe & Wyman LLP's ordinary business practice.

☐ **BY PERSONAL SERVICE** as follows: I caused a copy of such document(s) to be delivered by hand to the offices of the addressee between the hours of 9:00 A.M. and 5:00 P.M.

☐ **BY OVERNIGHT COURIER SERVICE** as follows: I caused such envelope to be delivered by overnight courier service to the offices of the addressee. The envelope was deposited in or with a facility regularly maintained by the overnight courier service with delivery fees paid or provided for.

☒ **BY ELECTRONIC MAIL** as follows: I hereby certify that I electronically transmitted the attached document(s) to the U.S. District Court using the CM/ECF System for filing, service and transmittal of Notice of Electronic Filing to the CM/ECF registrants for this case.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that I am employed in the offices of a member of the State Bar of this Court at whose direction the service was made.

Executed on August 2, 2010, at Walnut Creek, California.

  
 LISA WHITE

**SERVICE LIST**

**Steven Yeager, et al. v. PNC Mortgage, et al.**

**U.S.D.C., N.D. Case No. 3:10-cv-01195 SI**

**W&W File No. 1264-166**

**[Revised: 05/10/10]**

John Hendrickson, Esq.  
Jennifer Hendrickson, Esq.  
Hendrickson Legal Services  
703 Second St., 4<sup>th</sup> Floor  
Santa Rosa, CA 95404

**Attorneys for Plaintiffs**  
**STEVEN YEAGER and MARINA LUNA**  
Tel: (707) 284-3808  
Fax: (707) 313-0161  
Email: [pleadings@hendricksonlegal.com](mailto:pleadings@hendricksonlegal.com)